

AMENDED IN ASSEMBLY APRIL 25, 2011

AMENDED IN ASSEMBLY APRIL 7, 2011

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 547

Introduced by Assembly Member Gatto

February 16, 2011

An act to add Section 18573.5 to the Elections Code, relating to voting.

LEGISLATIVE COUNSEL'S DIGEST

AB 547, as amended, Gatto. Voting.

Existing law permits a voter who is unable to mark a ballot to receive the assistance of not more than 2 persons, selected by the voter, at a polling place. In addition, existing law ~~prohibits electioneering, as defined, at a polling place, and further~~ imposes criminal penalties on specified activities that interfere with another person's right to vote, including defrauding a voter who cannot read the ballot by deceiving and causing him or her to vote for a candidate that he or she did not intend to vote for.

This bill would provide that a person is guilty of a misdemeanor ~~if he or she engages in electioneering at a polling place while serving as an interpreter or otherwise assisting a voter to vote, or if he or she, while providing care or direct supervision to an individual 65 years of age or older, coerces or deceives the individual into voting for or against a candidate or measure contrary to the individual's intent or in the absence of any intent of the individual regarding that vote.~~

This bill would impose a state-mandated local program by creating ~~an additional crime~~ *crime*.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 18573.5 is added to the Elections Code,
2 to read:

3 18573.5. Every person is guilty of a misdemeanor ~~who does~~
4 ~~either of the following:~~

5 (a) ~~Engages in electioneering at a polling place while serving~~
6 ~~as an interpreter or otherwise assisting a voter pursuant to Section~~
7 ~~14282.~~

8 (b) ~~While who, while~~ providing care or direct supervision to an
9 individual who is 65 years of age or older, coerces or deceives the
10 individual into voting for or against a candidate or measure contrary
11 to the individual's intent or in the absence of any intent of the
12 individual regarding that vote.

13 SEC. 2. No reimbursement is required by this act pursuant to
14 Section 6 of Article XIII B of the California Constitution because
15 the only costs that may be incurred by a local agency or school
16 district will be incurred because this act creates a new crime or
17 infraction, eliminates a crime or infraction, or changes the penalty
18 for a crime or infraction, within the meaning of Section 17556 of
19 the Government Code, or changes the definition of a crime within
20 the meaning of Section 6 of Article XIII B of the California
21 Constitution.